

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Anthony CELESTE et al. )  
Application No.: 09/945,182 ) Group Art Unit: 1646  
Filed: August 31, 2001 )  
For: TENDON-INDUCING ) Examiner: E. Kemmerer  
COMPOSITIONS )

Commissioner for Patents  
Washington, DC 20231

Sir:

**TERMINAL DISCLAIMER**

Genetics Institute, LLC. and Presidents and Fellows of Harvard College, duly organized under the laws of Delaware and Massachusetts, respectively, and having their principal places of business at 87 Cambridge Park Drive, Cambridge, MA and 17 Quincy St., Cambridge, MA, are the assignees of the entire right, title and interest in and to application Serial No. 09/945,182, filed August 31, 2001 for TENDON-INDUCING COMPOSITIONS in the names of Anthony J. Celeste, John M. Wozney, Vicki A. Rosen, Neil M. Wolfman, Gerald H. Thomsen, and Douglas A. Melton, and in and to U.S.

06/24/2003 DTHOMAS 00000001 060916 09945182  
01 FC:1814 110.0 Patent and Trademark Office at Reel 8120, Frame 0476 on September 6, 1996.

Applicants hereby agree that any patent so granted on application Serial No. 09/945,182 shall be enforceable only for and during such period that it and United

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PATENT  
Customer No. 22,852  
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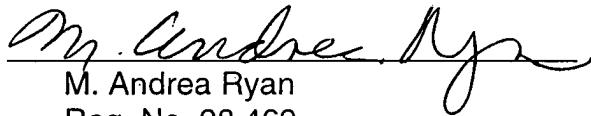
States Patent No. 6,027,919 are commonly owned. This agreement runs with any patent granted on the application Serial No. 09/945,182 and is binding upon the grantee, its successors or assigns.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

The undersigned is an attorney of record.

I hereby declare that all statements made of my own knowledge and belief are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By:   
M. Andrea Ryan  
Reg. No. 28,469

Dated: May 27, 2003